

## ECA Update: September 4, 2015



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#### **Governors: Congressional recommendations would hurt Hanford cleanup**

*Tri-City Herald*

August 28, 2015

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Recommendations in a study ordered by Congress focus on cutting costs at Hanford and other nuclear cleanup sites at the expense of the best protection of the environment and people, according to the governors of Washington and Oregon.

The recommendations would reduce states' authority and legal standing for cleanup projects that affect their residents, according to a letter to congressional leaders signed by Washington Gov. Jay

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**[DOE National Cleanup Workshop](#)**

September 29-30  
Washington, D.C.

### **Events of Interest**

[Hanford EM SSAB Meeting](#)

September 9-10

[SRS EM SSAB](#)

September 21-22

[Northern New Mexico EM SSAB](#)

Inslee and Oregon Gov. Kate Brown on Thursday.

September 30

“We are as frustrated as anyone by the slow pace and the high cost of cleanup at Hanford and other (Department of Energy) sites,” the governors said in their letter. “Yet abrogating states’ rights is not the solution.”

They asked leaders of key congressional subcommittees not to endorse recommendations made by the Omnibus Review Committee, which was organized by the Consortium for Risk Evaluation and Stakeholder Participation, or CRESP.

The legislation authorizing spending at Hanford and other cleanup sites this year was accompanied by language directing DOE to analyze how effectively it addresses risk at sites such as Hanford. DOE asked CRESP, a consortium of universities, to lead the effort.

“The report fails at this task by instead focusing primarily on ways to reduce costs rather than reducing risks to public health and safety,” the letter said.

It creates the potential for less protective cleanup at sites that still pose enormous threats to human health and the environment, the letter said. The recommendations, if enacted, would critically affect cleanup of Hanford with corresponding impacts to the Columbia River.

The committee report said recommendations are intended to effectively protect human health across the DOE cleanup complex within the constraints of less money available than in the recent past.

Money might be spent eliminating lower risks because of different regulatory approaches at different sites and requirements such as those imposed at Hanford by a court-enforced consent decree and the legally binding Tri-Party Agreement, the report said.

It is a “complex report about a complex set of questions that Congress wanted answer(ed),” said Michael Greenberg, chairman of the Omnibus Risk Review Committee and faculty dean of the Rutgers Bloustein School of Planning and Public Policy.

The committee will listen to questions and comments from a variety of sources, likely including Congress, and then make full comments in response, he said.

The states provided comments before the report was finished and some of their ideas were incorporated, he said. He is pleased the Northwest governors have taken note of the finished report, he said.

The report recommends making sure cleanup goals match projected use of areas. However, some Hanford observers are advocating for cleanup standards that would provide safe conditions if land use changes in the future.

The report proposes Congress reclassify some high level radioactive waste, which could allow more waste to remain in the bottom of Hanford's underground waste storage tanks. It would be mixed with grout rather than removed and turned into a stable glass form as now required.

The report recommends Congress establish a standing task force led by federal officials to help DOE promote consistency in addressing risk across its sites. The task force would weigh in on setting cleanup priorities, allocating money, flexibility in legal deadlines, dispute resolution, choices in cleanup approaches and other activities that impact cost effectiveness and risk-based decision making.

The report also recommends that Congress pass legislation to remove the option of court-enforced consent decrees to enforce legal agreements. The state of Washington is asking a federal court for enforcement of a 2010 consent decree that DOE agreed to after failing to meet cleanup requirements it had earlier agreed to in the Tri-Party Agreement.

Such litigation skews cleanup priorities by requiring limited money be spent on work picked by states rather than based on risk and competing cleanup needs nationwide, the report said.

Disputes would be settled by a panel of independent experts, whose decisions would be binding, to provide a national perspective on cleanup decisions.

The Washington and Oregon governors say such recommendations call into question state authority over cleanup.

Washington negotiated and signed the Tri-Party Agreement in 1992 with DOE and the Environmental Protection Agency "precisely because DOE had clearly demonstrated that, without active state involvement and oversight, compliance with

environmental laws at Hanford would not be achieved,” the letter said.

The task force would specifically exclude states from critical decision-making and legal processes, including the option of federal court intervention when DOE fails to meet its obligations, the governors said.

The recommendations also discount state regulation as being excessive, costly and not properly vetted, despite the legal authority given to the states, they said.

For instance, the state authorization to carry out Resource Conservation and Recovery Act requirements on behalf of the federal government is the only clear legal requirement that forces DOE to remove and treat high level radioactive waste not held in underground tanks, the governors said.

The letter was sent to Rep. Mike Simpson, R-Idaho, the chairman of the House Appropriations Subcommittee on Energy and Water Development, and the subcommittee’s ranking member, Marcy Kaptur, D-Ohio. In the Senate, it was sent to Sen. Lamar Alexander, R-Tenn., chairman of the Senate Appropriations Subcommittee on Energy and Water Development, and the subcommittee’s ranking member, Sen. Dianne Feinstein, D-Calif.

All four represent states with DOE sites that have been cleaned up or are undergoing cleanup.

Washington and Oregon are developing a detailed evaluation of the report to send to DOE and congressional subcommittees.

### **Former Energy Secretary blasts MOX opposers**

The Aiken Standard

August 31, 2015

[LINK](#)

The former Secretary of Energy said the Savannah River Site’s MOX program needs a new, credible cost baseline, but that the government should not halt the project or proceed with an alternative.

Bill Richardson, who is also the former governor of New Mexico, sent a letter dated Aug. 21 to Senate Minority Leader Harry Reid, D-Nevada. The letter denounces recent cost studies, citing that

safety and storage concerns at the Waste Isolation Pilot Plant – one of the facilities mentioned in the cost studies – would prohibit the facility from being a viable location.

Richardson was appointed as DOE Secretary in 1998 and was still serving in 2000 when Russia and the United States inked a deal for each nation to dispose of 34 metric tons of weapons-grade plutonium.

The U.S. chose the MOX method, which includes the Mixed Oxide Fuel Fabrication Facility at SRS. Rising MOX costs have pushed the federal government to look at other options for MOX, including a recent cost projection for a downblending option.

The option would dilute the plutonium using inhibitor materials and the final solution would then be packaged and shipped to the pilot plant, or WIPP, a facility in Richardson's state of New Mexico.

But the WIPP is still shutdown due to incidents in February 2014. Workers fell victim to fire inhalations as a result of a salt haul truck fire on Feb. 5, and other workers were contaminated due to a Feb. 14 radiation event.

There is tentative projection of late 2016 for the reopening, but Richardson wrote that the current mission of WIPP would be hindered if the Energy Department has to enlarge the facility for plutonium disposition.

He went on to compare the scenario to Yucca Mountain, a volcanic structure near the former Nevada Test Site – about 100 miles from Las Vegas – where the nation intended to permanently store its nuclear waste. The federal government cut funding in 2010 after pouring more than \$13 billion into the Yucca Mountain project.

“As a former Secretary of Energy and Governor of New Mexico, I can assure you that WIPP, in our lifetimes, has the same chance of accepting weapons-grade plutonium that Yucca Mountain has for accepting spent nuclear fuel. It is self-deluding to claim otherwise,” Richardson said.

Richardson also attacked the Department's handling of two recent studies.

The Aerospace report was released in April and priced the lifecycle cost of MOX at \$51 billion. The more recent Red Team report was

released about a week ago and stated MOX would need \$800 million a year to be viable.

Richardson said the studies are a result of the administration's "aggressive campaign against MOX" and that the Energy Department is using "made to order 'studies.'"

Richardson also criticized the look at alternatives because MOX is the only method that fulfills the nation's agreement with Russia.

"Regardless of vague pledges to 'talk to the Russians' – which is all anyone says in Hill testimony everywhere – any non-MOX 'alternative' violates our landmark agreement," he wrote to Reid.

Richardson ended the letter by telling Reid the nation should "finish what we start" by proceeding with MOX.

The project is 65 percent complete and employs more than 1,700. About \$4.4 billion has been spent on the project.

### **DOE to consider plutonium disposal**

Current-Argus

September 1, 2015

[LINK](#)

CARLSBAD >> Having weapon-grade plutonium sent to the Waste Isolation Pilot Plant for disposal is becoming more of a possibility following a recently released study.

The Department of Energy released a study on Aug. 15 stating that sending plutonium waste to WIPP was cost-effective alternative to a current, more-expensive program that is being funded to dispose of the nation's excess plutonium.

The currently funded program is called the "federal mixed oxide nuclear program," which turns plutonium into a nuclear fuel, known as MOX, has increased significantly in cost, which has prompted the DOE to seek alternatives.

All of this, disposing of excess plutonium, is due to an agreement, made by the U.S. with Russia in 2000, that states each country would dispose of 34 metric tons of weapon-grade plutonium.

The Union of Concerned Scientists, a group of national scientists, along with the International Panel on Fissile Material, have

proposed to the Department of Energy to dispose of the plutonium at WIPP.

A proposal that the DOE has looked at and is now in a new report considering to be the best choice.

On April 20, in a news release from the Union of Concerned Scientists, a study by the DOE concluded it would be cheaper and less risky to dispose of the surplus plutonium at WIPP than to convert it into mixed-oxide nuclear fuel (MOX).

WIPP does not accept weapon-grade plutonium for disposal, but it receives waste that has been in contact with plutonium, such as gloves, glove boxes and other items.

"The bottom line is the MOX program is too expensive and too risky to continue," said Edwin Lyman, senior scientist for the union. "The Energy Department's own study supports that conclusion. Let's stop throwing good money after bad and pull the plug on this \$30 billion boondoggle."

The DOE study that also supports the WIPP alternative was put together by a team of experts from U.S. nuclear laboratories, the Nuclear Regulatory Commission, the Tennessee Valley Authority and the commercial nuclear power industry, the union news release said.

The Red Team, the group that put the study together wrote that a "current lack of sustained funding" and "low levels of staff retention" where the mixed-oxide program would take place "created an environment of intense uncertainty."

As a result, the Red Team found sending weapon-grade plutonium waste to WIPP to be the best solution.

A statement from a DOE spokesperson said the Red Team's study is currently being reviewed.

"The Red Team states that even the best case scenario for the MOX approach would be significantly more expensive and riskier than the worst case scenario for the Dilute and Dispose approach," a DOE spokesperson said.

However, former Secretary of Energy and Gov. Bill Richardson wrote in a letter to the U.S. Senate Democratic Leader that considering shutting down the mixed-oxide program is a waste of

money already spent and it will cause thousands of workers to lose their jobs.

Richardson also wrote that disposing plutonium at WIPP is not the best alternative.

"WIPP remains closed, with no re-opening date," Richardson said in his letter, adding in order to dispose of the plutonium at WIPP the actual facility would have to be enlarged and its allowed waste profile would have to change.

If plutonium was sent for disposal to WIPP, the repository would first have to be reopened fully.

A new reopening date has yet to be announced after it was pushed back earlier this month from its early 2016 date.

In an earlier article, Lyman with Union of Concerned Scientists said that people living in Carlsbad would not mind if excess plutonium was sent there.

"It is a way to keep jobs there for longer then expected," Lyman said. "New Mexico would continue its mission of getting rid of plutonium, not making it into more bombs."

### **YUCCA MOUNTAIN: DOE's trash is Nev. town's treasure**

E&E Publishing

September 3, 2015

[LINK](#)

PAHRUMP, Nev. -- The town museum displays federal government discards under fluorescent lighting in its back room.

The collection of plastic models of nuclear fuel assemblies, yellowed maps and videos at the Pahrump Valley Museum tells the story of the Yucca Mountain nuclear waste repository project -- under study since 1978, authorized by Congress in 1987 and kicked to the curb by the Obama administration in 2009.

But some Pahrump civic leaders won't let the administration trash the project or its artifacts. They see Yucca Mountain -- an approximate 60-mile desert drive from here -- as an economic engine for this town of 36,000 people and financially strapped Nye County.



"This would turn us around; this would be huge for us," said Nye County Commissioner and Pahrump resident Dan Schinhofen, one of the project's biggest boosters. "That's why we've been pushing and we think it will change."

Not everyone agrees. Another Nye County commissioner, Donna Cox, worries about transporting radioactive or hazardous material to Yucca Mountain on highways that may not be well-maintained or wide enough. The government, she said, needs to raise the highway standards.

"A lot of people want it to come because of the money, but money doesn't mean anything to me," Cox said in a recent interview. "People are screaming, 'Show me the science!' But if they don't know by now, it won't be done."

Nothing about Yucca Mountain has ever been simple except the economic pain felt here when President Obama pulled the plug on the project after years of political fighting and pressure from the Senate's top Democrat, Nevada's Harry Reid. The decision dried up a revenue stream to Nye County, the state's poorest county.

Schinhofen discounts critics' arguments that burying spent reactor fuel under Yucca would poison drinking water for Las Vegas, which is about 100 miles southeast of the mountain. He cited multiple studies finding that Las Vegas' drinking water would be safe. Running his finger along a laminated map of the volcanic ridge pinned to the museum wall, he said the county has drilled wells and found water wouldn't flow to Las Vegas. It would instead head west toward Death Valley.

Schinhofen isn't shy about his eagerness to cash in on hosting Yucca under federal contracts.

Only five years ago -- before the administration halted Yucca -- Nye County received more than \$10 million a year in compensation for hosting the repository. But that evaporated after the White House deemed Yucca unworkable, although it offered no scientific or technical backing for that assertion.

The Nuclear Regulatory Commission has since repeated the finding that storing waste under the volcanic ridge would be safe, fueling calls from House Republicans and the nuclear industry for a final safety decision.

Schinhofen and other Yucca proponents are hoping Nye County

could secure up to \$500 million a year for hosting Yucca if the program is revived.

That's money the county desperately needs, he said, to repair roads, keep the dog pound open and pay workers. The shuttering of the project and the recession scarred the area. Nevada has one of the nation's highest unemployment rates, 6.9 percent (the national average is around 5.3 percent); 8.7 percent of Nye County residents are out of work.

Some here, including Reid, accuse Schinhofen of being a fanatic about Yucca. He disagrees.

"I think the fanaticism is, 'I don't want to hear anything; I'm right.' I think that's fanaticism," Schinhofen said.

Viewing Yucca Mountain photos at the museum, Lisa Bradford of Pahrump said she was concerned about the shipment of radioactive nuclear waste on busy county roads from reactors around the country to the Yucca repository.

"I know they've tried to assure people, but the main concern for me is transportation of the waste," she said.

On the other side of town, Darren Woodland had just finished a round of golf with friends from Las Vegas, where he lives. Sitting at a table waiting for food, Woodland, 39, said he would support the storage of spent reactor fuel at the site if researchers could show it was safe.

"It's got to be stored somewhere," said Woodland, adding that storing spent fuel at closed reactors around the country didn't sound like a better option.

"I kind of thought it was a dead issue."

*'Perfect storm'*

No matter how they feel about Yucca Mountain, people here say they were struck by the administration's quick departure from the project.

Darrell Lacy, who directs the Nye County Nuclear Waste Repository Project Office, remembers the Department of Energy closing up shop in Las Vegas in February 2010 after the plans were announced. The change would also bring about longer days for

Lacy, as he was forced into a number of roles left vacant after Yucca funding evaporated and the recession hit.

"Things happened very quickly within DOE when they made a decision to pull the licensing from the [NRC]; there was kind of a mad dash at DOE to shut down the whole Office of Civilian Radioactive Waste Management," he said. "Within about a two-month period, they went from full speed ahead to the gates were locked."

Throughout the fall and winter of 2010, DOE let go of all federal workers focused on Yucca, terminated activities carried out by contractors, canceled leases for offices and closed most of its 500 contracts and subcontracts. Eventually, more than 1,000 office suites in Las Vegas would be left empty. Federal watchdogs would later criticize DOE for not following federal protocol or assessing the risks of closing the program.

Lacy estimates up to 400 people with mainly management and technical jobs, as well as blue-collar workers -- electricians, pipe fitters, plumbers and mechanics -- lived in Nye County and worked at the Yucca site.

Around that time, the county was reaping the benefits of hosting the repository, including up to \$4 million a year for running its Nuclear Waste Repository Project Office, a unit with more than a dozen federal county workers and about the same number of contractors that was reviewing technical data on the repository from DOE and the national labs. The office also conducted its own independent analysis, such as drilling wells and analyzing the site's hydrology and geophysics.

The county also earned up to \$11 million annually from DOE called payment equal to taxes, which compensates the county for use of the land.

Just as the administration shuttered Yucca Mountain, the recession hit hard.

Unemployment in the summer of 2010 in Nye County, for example, shot up to more than 17 percent, while housing prices continued to plunge. The median home value in the county fell by more than 40 percent from 2010 to 2013, according to a study by the National Council of Housing Market Analysts.

Adding to the economic pain, Lacy noted that gold prices

nosedived, prompting a cutback in the state's mining industry. "That was a multimillion hit for the county budget," Lacy said.

The downturn and Yucca closure, Lacy said, worked together to halt the influx of new residents and squeeze property tax revenue, a main source of funding for Nye County. Since 2010, almost every office within the county has seen staffing cut, and some departments have closed altogether.

The shortfall even forced the closure of the county dog pound, leaving nonprofits to shoulder the burden, he said.

These days, Lacy is juggling three county roles as opposed to one, serving as general manager of the county's water district, planning director and director of natural resources. He took on those extra duties after his colleagues were laid off.

"On top of Yucca Mountain, we've had ... kind of the perfect storm of hits to our county income and revenue," he said. "The county workers have held the line, and there have been no tax increases through this, so our county operations budget has been cut over 20 percent. It's been a very tough thing to do."

*No money, no message?*

The Yucca closure didn't just dry up county services. It also thwarted project advocates' ability to promote their message.

"We don't have the funds to press this, and we've stayed away from asking [French nuclear giant Areva Inc.] or anyone in the industry because Harry Reid keeps saying, 'They're pushing this,'" Schinhofen said. "They stay away from it; they haven't offered us funds to go out and be pro."

To be sure, recent polls have shown the Silver State is split on the issue.

A poll by Political Marketing International Inc. of 802 out of 20,000 registered Nevada voters March 26-30, 2015, showed almost 55 percent agreed with Republican Rep. Crescent Hardy of Nevada that the state should listen to offers related to hosting Yucca Mountain instead of adamantly opposing the project. Forty-five percent of those polled maintained that the state should not negotiate or consider offers. The poll had an error margin of 5 percentage points and was paid for by the conservative group Citizen Outreach, according to PMI.

But Yucca advocates certainly have champions in Congress.

Rep. John Shimkus (R-Ill.), chairman of the House Energy and Commerce Subcommittee on Environment and the Economy, led a congressional tour of the repository earlier this year with hopes of drumming up attention and support for the project.

And the Yucca Mountain question is likely to surface as Nevada is hosting the first of six presidential primary debates for Democrats in October.

Lacy said it's unclear whether presidential candidates or Congress will open a larger debate on the science of Yucca Mountain in coming months or years, given the political nerve the project has touched in the state.

"It's always been a litmus test in Nevada, that everybody that comes here to campaign is asked whether they support Yucca," he said. "Reid is at some sort of a lame-duck position, and they're saying that other politicians at least are open to discussing it."

In recent months, Reid and Nevada Republican Sen. Dean Heller have quietly floated legislation that would cement the state's ability to veto Yucca Mountain, language the senators hope will be considered as the Senate Energy and Natural Resources Committee crafts a larger nuclear waste bill (Greenwire, July 23).

But Nye County Commissioner Schinhofen scoffs at the notion of Reid protecting Nevada's right to say no to unwanted projects or land grabs.

Schinhofen noted that Reid introduced a bill last year -- the "Garden Valley Withdrawal Act" -- to restrict mining and energy exploration throughout 805,100 acres of federal land in rural Nevada, including a piece of art called "City" that artist Michael Heizer started in 1972 in rural Lincoln County near the border with Nye County. Conservationists have backed Reid's effort, saying his legislation would protect the state's scenic valleys, Native American rock shelters and ancient trails.

"It's 400,000 acres out of our county, and he didn't ask us," Schinhofen said.

Reid also supported Obama's decision to designate more than 700,000 acres of Nevada rangeland under the Antiquities Act as a

national monument, including land once proposed for a 320-mile-long rail line that would have served as a main vein for carrying spent nuclear fuel into the belly of Yucca Mountain (E&E Daily, July 14).

For now, Schinhofen said he'll wait for an open debate on the science of Yucca, and the museum will stand ready to educate the world once that happens.

"If it is found safe," Schinhofen said, "who in their right minds would say no to a \$90 billion public works project?"

### **\$40 million project supposed to ease uranium risks at Y-12**

Knoxville News Sentinel

September 1, 2015

[LINK](#)

The government plans to install new processing equipment at one of Y-12's oldest facilities to help speed the recycling and removal of enriched uranium scrap.

The \$40 million project is supposed to reduce the uranium inventory at the World War II-era 9212 complex and allow the nuclear weapons plant to vacate the deteriorated facility — with known safety concerns — as soon as possible.

Central to the project will be a "calciner," a rotating kiln that's used to convert uranium-bearing solutions — such as mop water from uranium production areas — to an oxide form.

Consolidated Nuclear Security, the government's managing contractor at Y-12, said use of the calciner will eliminate the need for some of the plant's antiquated purification systems.

The new equipment is reportedly scheduled to come online around 2020.

According to a recent report by staff of the Defense Nuclear Facilities Safety Board, the government has approved key planning milestones for the calciner project, including the go-ahead for some long-lead procurements.

The cost range is projected to be \$36.5 million to \$46.4 million.

The National Nuclear Security Administration, the semi-

independent part of the Department of Energy that oversees the nuclear weapons program, has said it wants to modernize operations at Y-12 by 2025. Those multibillion-dollar plans include a three-building production complex known as the Uranium Processing Facility.

The calciner project reportedly supports those objectives.

“Once the calciner is operational in Building 9212 and the planned electro-refining system (for purifying uranium metal) is operational in Building 9215, CNS plans to initiate the shutdown of the hazardous process equipment that currently provides 9212’s enriched uranium purification capability,” the safety board report states.

That report also said a safety design strategy had already been approved by NNSA’s Production Office. The strategy reportedly identified six “safety significant controls” to “prevent or mitigate the release of radiological or toxicological hazards for the calciner system.”

A couple of these controls are designed to prevent over-pressurization of systems that could lead to an explosion, according to the safety board report.

Ellen Boatner, a spokeswoman for the Y-12 contractor, said the uranium recycling activities would continue with the calciner at the 9212 complex even after the building’s main production missions are shifted elsewhere.

But use of the calciner will allow Y-12 to shut down some of the highest-risk nuclear operations, she said.

### **Security Improvements at the Y-12 national Security Complex**

DOE Inspector General

August 28, 2015

[LINK](#)

In June 2004, the Inspector General recommended the DOE develop a comprehensive framework for managing and integrating personnel security and access control systems. In response, NNSA indicated that it intended to implement the Argus security system to provide integrated access and physical security controls at Y-12. To help meet its security goals, Y-12 focused its planned Security Improvements Project (SIP) on replacing its aged and

obsolete security system with Argus. The project was completed in 2013 at a cost of more than \$50 million. This report found that the SIP achieved all baseline requirements but was not scoped or funded to address all Argus implementation issues at Y-12. As a result, while Y-12's physical security system has been upgraded it had not met NNSA's mandate to develop and implement a comprehensive method for managing and integrating the site's security and access control systems. The Inspector General found a number of challenges have contributed to identified system issues, including management weaknesses and a lack of effective communication and cooperation between operations personnel and project managers. The full report can be read [here](#).

### **Allegations Regarding Management of Highly Enriched Uranium**

DOE Inspector General

September 1, 2015

[LINK](#)

The Inspector General received allegations that special nuclear material (SNM) at the Y-12 National Security Complex – specifically that in January 2014, highly enriched uranium samples were discovered in the pocket of coveralls located on a laundry truck that set off an alarm as the truck attempted to exit a protected area. The report substantiates allegations related to the safe handling of SNM, internal controls for the tracking and handling of SNM samples, SNM detection procedures, and SNM alarm response processes. However, Y-12 federal and contractor officials conducted internal investigations concerning the incident and generally implemented corrective actions to address most of the issues outlined in the allegations. The Inspector General still found that corrective actions regarding a safety violation that occurred during the discovery of the uranium samples and the untimely notification of the Plant Shift Superintendent Office had not been completed. Y-12 officials agreed to implement corrective actions for both issues. The full report can be found [here](#).